

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

Finnish Patent Consulting FPC
Hermiankatu 14
FI-33720 Tampere
Finland

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **30-12-2004**

Applicant's or agent's file reference

AA 1140

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/FI 2004/000496

International filing date (day/month/year)

25.08.2004

Priority date (day/month/year)

25.09.2003

International Patent Classification (IPC) or both national classification and IPC

B02C 13/08, D21B 1/10

Applicant

Kiviaho, Jouko

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/SE
Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM

Facsimile No. +46 8 667 72 88

Authorized officer

Mats Raidla/Els

Telephone No. +46 8 782 25 00

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/FI 2004/000496

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language, _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-5, 7-10	YES
	Claims	1, 6	NO
Inventive step (IS)	Claims	2, 7	YES
	Claims	1, 3-6, 8-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Most relevant document cited in the International Search Report:

D1: US 2448839 A

In D1 a relatively small self contained comminuting and mixing machine is described. The unit comprises an electric motor with a shaft, on the shaft is mounted a rotor. The rotor is surrounded by a casing with an end plate, in which a central inlet opening for supplying material is provided. Treated material flows from the machine through a curved screen, mounted in the casing, and is discharged through its open bottom portion. A series of substantially cylindrical pins are mounted on the rotor, with their ends extending in the same general direction. When the rotor is turning, the legs of the pins resiliently engage material in the casing. With a machine of this character having a rotor constructed as described and operating at 3500 rpm, materials of various different types can be efficiently comminuted. For using this machine with materials which may contain relatively large lumps, a breaker or feeder strip may be provided secured on the end of the motor shaft (refer to figures 2-3 and column 2, line 50 - column 3, line 61).

Consequently, the subject matter of claims 1 and 6 is previously known and therefore, these claims are not approved.

The dependent claims 3-5 and 8-10 are considered to involve

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

particular detail executions obvious to a person skilled in the art. Therefore, the invention according to these claims is not considered to involve an inventive step.

The conclusion is made that the the subject matter of claims 1 and 6 is not novel, the subject matter of claims 3-5 and 8-10 is novel but is not considered to involve an inventive step and that the invention as defined in claims 2 and 7 is novel and is considered to involve an inventive step. The invention is industrially applicable.